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ATTEST

By Tanisha Spinner on Nov 09, 2009

FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

Oct 22, 2009

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

FILED  
CLERK'S OFFICE

IN RE: MEDTRONIC, INC., SPRINT FIDELIS  
LEADS PRODUCTS LIABILITY LITIGATION

MDL No. 1905

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-40)

On February 21, 2008, the Panel transferred 22 civil actions to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 536 F.Supp.2d 1375 (J.P.M.L. 2008). Since that time, 448 additional actions have been transferred to the District of Minnesota. With the consent of that court, all such actions have been assigned to the Honorable Richard H. Kyle.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Minnesota and assigned to Judge Kyle.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of February 21, 2008, and, with the consent of that court, assigned to the Honorable Richard H. Kyle.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

Nov 09, 2009

CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

A true copy in 3 sheet (s)  
of the record in my custody,  
CERTIFIED Nov. 13 2009

Richard D. Sletten, Clerk

BY:  Deputy Clerk

IN RE: MEDTRONIC, INC., SPRINT FIDELIS  
LEADS PRODUCTS LIABILITY LITIGATION

MDL No. 1905

## SCHEDULE CTO-40 - TAG-ALONG ACTIONS

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
ALABAMA NORTHERN ALN 6 09-2099	Jackie McCoy, etc. v. Medtronic, Inc., et al.	09-3236 RHK/JSM
CALIFORNIA CENTRAL CAC 2 09-7351 CAC 2 09-7352	Joe Padilla, et al. v. Metronic, Inc., et al. Doris Herrera, et al. v. Medtronic, Inc., et al.	09-3237 RHK/JSM 09-3238 RHK/JSM
CALIFORNIA NORTHERN CAN 3 09-4864 CAN 3 09-4912	David Adams, et al. v. Medtronic, Inc. Christine Modica, et al. v. Medtronic, Inc., et al.	09-3239 RHK/JSM 09-3240 RHK/JSM
ILLINOIS NORTHERN ILN 1 09-6468	Francis Biedron v. Medtronic, Inc., et al.	09-3241 RHK/JSM
ILLINOIS SOUTHERN ILS 3 09-872 ILS 3 09-873	Lawrence Brown, et al. v. Medtronic, Inc., et al. Dexter Crumpler v. Medtronic, Inc., et al.	09-3242 RHK/JSM 09-3243 RHK/JSM
KANSAS KS 2 09-2512	Rickey S. Schulz v. Medtronic, Inc., et al.	09-3244 RHK/JSM
MICHIGAN EASTERN MIE 2 09-14070	Kirk P. Alford v. Medtronic, Inc., et al.	09-3245 RHK/JSM
MISSISSIPPI SOUTHERN MSS 3 09-618	Mary McNulty, et al. v. Medtronic, Inc., et al.	09-3246 RHK/JSM
NEW JERSEY NJ 1 09-5245 NJ 1 09-5249	Monica Morrison v. Medtronic, Inc., et al. Phillip Mathis, et al. v. Medtronic, Inc., et al.	09-3247 RHK/JSM 09-3248 RHK/JSM
NEW YORK EASTERN NYE 1 09-4343	Sandra Knox, etc. v. Medtronic, Inc., et al.	09-3249 RHK/JSM

## MDL No. 1905 - Schedule CTO-40 Tag-Along Actions (Continued)

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
OHIO NORTHERN	
OHN 1 09-2328	Tametta Shields, etc. v. Medtronic, Inc., et al. 09.3250 RHK/JSM
OHN 1 09-2381	Carol Szabo, etc. v. Medtronic, Inc., et al. 09.3251 RHK/JSM
OHN 3 09-2305	Amy L. Papesh, et al. v. Medtronic, Inc., et al. 09.3252 RHK/JSM
OHN 3 09-2330	Alice H. Yaney, etc. v. Medtronic, Inc., et al. 09.3253 RHK/JSM
OHN 4 09-2380	Helen Polinsky, etc. v. Medtronic, Inc., et al. 09.3254 RHK/JSM
OHN 5 09-2172	Elaine Mae Hilliard, etc. v. Medtronic, Inc., et al. 09.3255 RHK/JSM
OHN 5 09-2307	Donna Austin, etc. v. Medtronic, Inc., et al. 09.3256 RHK/JSM
OHN 5 09-2309	Amy L. Papesh, et al. v. Medtronic, Inc., et al. 09.3257 RHK/JSM
OHN 5 09-2324	Michael C. Parham, etc. v. Medtronic, Inc., et al. 09.3258 RHK/JSM
OHN 5 09-2327	Rick Tallman, etc. v. Medtronic, Inc., et al. 09.3259 RHK/JSM
OHIO SOUTHERN	
OHS 1 09-727	Amy L. Papesh, et al. v. Medtronic, Inc., et al. 09.3260 RHK/JSM
OHS 1 09-731	Carolyn Good, etc. v. Medtronic, Inc., et al. 09.3261 RHK/JSM
OHS 2 09-881	Kimberly King, etc. v. Medtronic, Inc., et al. 09.3262 RHK/JSM
OHS 2 09-888	Sharon Smith, etc. v. Medtronic, Inc., et al. 09.3263 RHK/JSM
OHS 3 09-378	Martha C. Ramsey, etc. v. Medtronic, Inc., et al. 09.3264 RHK/JSM
OHS 3 09-380	Lucille Taylor, etc. v. Medtronic, Inc., et al. 09.3265 RHK/JSM
OHS 3 09-381	Phyllis Bell, etc. v. Medtronic, Inc., et al. 09.3266 RHK/JSM
OKLAHOMA NORTHERN	
OKN 4 09-618	Sandra Kerr v. Medtronic, Inc., et al. 09.3267 RHK/JSM
OKN 4 09-619	David Shorten, et al. v. Medtronic, Inc., et al. 09.3268 RHK/JSM
OKLAHOMA WESTERN	
OKW 5 09-1124	Geneva Touchet, etc. v. Medtronic, Inc., et al. 09.3269 RHK/JSM
PUERTO RICO	
PR 3 09-2070	Stephen Allman, et al. v. Medtronic, Inc., et al. 09.3270 RHK/JSM
TEXAS EASTERN	
TXE 2 09-306	Norwood Koepsel, et al. v. Medtronic, Inc., et al. 09.3271 RHK/JSM
TXE 2 09-311	Kevin Koch, etc. v. Medtronic, Inc., et al. 09.3272 RHK/JSM
TEXAS SOUTHERN	
TXS 4 09-3176	Jack Craig McGhee v. Medtronic, Inc., et al. 09.3273 RHK/JSM
TXS 4 09-3185	Jessica C. Buchholz, et al. v. Medtronic, Inc., et al. 09.3275 RHK/JSM
TXS 4 09-3209	Beverly J. Buchanan, et al. v. Medtronic, Inc., et al. 09.3276 RHK/JSM
TXS 4 09-3291	Martin Farrell, et al. v. Medtronic, Inc., et al. 09.3277 RHK/JSM
TXS 4 09-3292	Rosalie Gail Peterson, et al. v. Medtronic, Inc., et al. 09.3278 RHK/JSM
TXS 4 09-3304	Elmore Herman Borchers, Jr. v. Medtronic, Inc., et al. 09.3281 RHK/JSM
TXS 4 09-3317	Eva Estella Rouse v. Medtronic, Inc., et al. 09.3283 RHK/JSM
TXS 4 09-3319	Michael R. Misciagna v. Medtronic, Inc., et al. 09.3284 RHK/JSM
TXS 4 09-3347	Rhonda Wade v. Medtronic, Inc., et al. 09.3285 RHK/JSM